



# ZILKA·KOTAB

PC  
ZILKA, KOTAB & FEECE<sup>TM</sup>

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## FAX COVER SHEET

Date: May 9, 2005	Phone Number	Fax Number
To: Issue Fee Division, USPTO		(703) 746-4000
From: Kevin J. Zilka		

Docket No: NAIIP004/00.006.01

App. No: 09/585,811

Total Number of Pages Being Transmitted, Including Cover Sheet: 06

### Message:

Please deliver to the Issue Fee Division.

Thank you,

Kevin J. Zilka

☐ Original to follow Via Regular Mail ☒ Original will Not be Sent ☐ Original will follow Via Overnight Courier

\*\*\*\*\*  
The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (if long distance, please call collect) and return the original message to us at the above address via the U.S. Postal Service. Thank you.  
\*\*\*\*\*

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ANY OTHER DIFFICULTY, PLEASE PHONE Erica  
AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

May 9, 2005



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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of )

Melchione )

) Group Art Unit: 2132

Application No. 09/585,811 )

) Examiner: Gurshman, Grigory

Filed: May 31, 2000 )

) Docket No. NAI1P004\_00.006.01

For: SYSTEM, METHOD AND )

COMPUTER PROGRAM PRODUCT FOR ) Date: May 9, 2005

PROCESS-BASED SELECTION OF VIRUS)

DETECTION ACTIONS)CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Alexandria, VA 22313-1450 at facsimile number: (703)746-4006 on the above date.

Signed: 

Erica L. Farlow

Issue Fee Payment Transmittal

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following items:

- 1) Comment on Statements of Reasons for Allowance
- 2) Part B- Issue Fee Transmittal in duplicate for billing purposes
- 3) Return Postcard

Respectfully submitted,  
Kevin J. Zilka, PC

Kevin J. Zilka  
Reg. No. 41,429

P.O. Box 721120  
San Jose, CA 95172-1120  
(408) 971-2573

Attorney Docket No. NAI1P004/00.006.01



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p.3

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of )  
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Melchione ) Group Art Unit: 2132  
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Application No. 09/585,811 ) Examiner: Gurshman, Grigory  
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DETECTION ACTIONS )

**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being facsimile transmitted to the  
Commissioner for Patents, Alexandria, VA 22313-1450 at facsimile number: (703)  
746-4000 on the above date.

Signed: \_\_\_\_\_

Erica L. Farlow

**COMMENT ON STATEMENTS OF REASONS FOR ALLOWANCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Allowance mailed 04/28/05, please enter the following.

Docket: NAI1P004/00.006.01

-1-

REMARKS

In the Examiner's statement of reasons for allowance, it is stated that "neither Ranger nor Ji teach or suggest identifying the process(application program) accessing files. They do not teach performing the virus detection actions on the files being accessed by the process. Neither Ranger nor Ji, teach selecting the virus detection action selected based on the identity of the files being accessed and on the category of the process (application program) accessing the files." In response, applicant points out that not all of the claims require "selecting the virus detection action selected based on the identity of the files being accessed and on the category of the process (application program) accessing the files." Note Claim 1, for example.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAIIP004/00.006.01).

Respectfully submitted,  
Zilka-Kotab, PC

Keyn J. Zilka  
Registration No. 41,429

P.O. Box 721120  
San Jose, CA 95172-1120  
408-505-5100